

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
-against-	:	22-CR-425 (VEC)
	:	
	:	<u>ORDER</u>
CHINWENDU ALISIGWE,	:	
	:	
Defendant.	:	
	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on March 2, 2023, the Government moved for a pretrial evidentiary hearing regarding Defendant's anticipated duress defense and setting forth applicable law regarding Defendant's threshold burden to present the defense, *see* Gov't Letter, Dkt. 35;

WHEREAS on April 4, 2023, the parties appeared before the Court for a status conference;

WHEREAS Defendant confirmed at the conference that he seeks to present an affirmative defense of duress at trial;

WHEREAS Defendant consented to a pretrial evidentiary hearing regarding Defendant's duress defense so the Court can decide whether Defendant may present the defense at trial; and

WHEREAS Defendant seeks to testify in support of the defense but does not intend on calling any other witnesses for the evidentiary hearing;

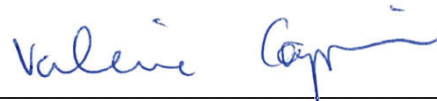
IT IS HEREBY ORDERED that the parties must appear for a pretrial evidentiary hearing regarding Defendant's duress defense on **Thursday, May 25, 2023 at 11:00 A.M.** in Courtroom **443**, Thurgood Marshall U.S. Courthouse, 40 Foley Square, New York, NY 10007.

IT IS FURTHER ORDERED that not later than **Friday, April 21, 2023**, Defendant must respond to the Government's letter regarding his threshold burden to present the defense. The Government must reply not later than **Friday, May 5, 2023**.

IT IS FURTHER ORDERED that time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(1) (D) for the period between April 4, 2023 and a prompt disposition on the Government's motion.

SO ORDERED.

Date: April 5, 2023
New York, NY



VALERIE CAPRONI
United States District Judge